

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ERIC DAVID SEALES,

Case No. 03-40336

Plaintiff,

v.

District Judge Paul V. Gadola  
Magistrate Judge R. Steven Whalen

MACOMB COUNTY and FREDERICK  
TRUE, JASON STABLEY, TED STABLEY,  
ROBERT WHITEHEAD, JIM HILL and  
RON GEKIERE, individually and in their  
official capacity,

Defendants.

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**ORDER GRANTING IN PART AND DENYING IN PART  
PLAINTIFF'S FOURTH MOTION TO COMPEL DISCOVERY**

Before the Court is Plaintiff's Fourth Motion to Compel Discovery [Docket #68], which has been referred for hearing and determination pursuant to 28 U.S.C. §636(b)(1)(A). As to the requests that remain at issue—a number having been resolved between the parties—the motion is granted in part and denied in part as set forth below, for the reasons stated on the record on November 2, 2005.

1. Plaintiff's Third Request to Produce

A. The motion to produce the training records of all child care workers employed by the Macomb County Youth Home from 1998 to 2004 is DENIED.

B. The motion to produce documentation regarding disciplinary action taken against child care workers employed by the Youth Home between August 1, 1998 and December 31, 2004 is GRANTED, limited to disciplinary actions involving allegations of physical mistreatment. Defendant Macomb County Youth Home will produce all relevant records of child care workers employed within this time frame who were so disciplined, including records of discipline imposed prior to August 1, 1998.

2. Plaintiff's Fourth Request to Produce

(a) RTP #4 is GRANTED to the extent that Defendant Youth Home will produce all documentation it has provided to the State of Michigan regarding the amount of training provided to child care workers.

(b) RTP #5 is GRANTED. If Defendant Youth Home claims privilege to any documents, it shall provide Plaintiff with a privilege log.

( c ) RTP #16 is GRANTED. Defendant Youth Home shall identify the individual who was allegedly suspended without pay, or otherwise disciplined, in approximately November, 2003, and referenced in the Macomb Daily article of January 13, 2004, if such individual exists.

This Order compelling discovery is directed at Defendant Macomb County Youth Home. As to Defendant Robert Whitehead, Plaintiff's motion is DENIED.

SO ORDERED.

S/R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

Dated: November 3, 2005

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on November 3, 2005.

S/Gina Wilson  
Judicial Assistant